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OFFICE OF PETITIONS

In re Application of  
Edmund Gress  
Application No. 09/693,145  
Filed: October 20, 2000  
Attorney Docket No. 0001398USU

DECISION ON PETITION

This is a decision on petition under 37 CFR 1.137(b), filed August 22, 2003, to revive the above-identified application.


This above-identified application became abandoned for failure to timely file a reply to a final Office Action pursuant to 37 CFR §1.113. The final Office Action was mailed on June 27, 2001 and set a three (3) month shortened statutory period for reply. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, this application became abandoned on September 28, 2001. A Notice of Abandonment was mailed on January 31, 2002.

The requirements for a grantable petition under 37 CFR §1.137(b) have been met. This petition is hereby **Granted**.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR §10.18(b). In the event that such an inquiry has not been made, Petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR §1.137(b) was unintentional, petitioner must notify the Office.

The Request for Continued Examination (RCE) and the amendment submitted on August 22, 2003 will be forwarded to Technology Center 3700 for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 306-0251.

  
Charlema R. Grant  
Petitions Attorney  
Office of Petitions